



Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations



Matthew H. Mead, Governor

Todd Parfitt, Director

June 12, 2014

CERTIFIED 7012 3460 0000 7423 0634

Mr. Steve Perkins
Perkins Oil Company
P.O. Box 1068
Rawlins, WY 82301

RE: Notice of Violation Docket Number 5434-14

Dear Mr. Perkins:

Enclosed you will find a Notice of Violation, Docket Number 5434-14, issued under the provisions of W.S. 35-11-701(c).

On June 5, 2014, Department of Environmental Quality (DEQ) personnel performed an underground storage tank compliance inspection at the Hanna Cardlock located at 602 South Adams, Hanna, Wyoming. The inspection revealed that monthly inspections were not being conducted by the Class A or B Operator, and daily visits were not being completed. Failure to perform monthly inspections is a violation of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, Section 46(d). Failure to conduct daily visits at an unattended facility is a violation of WWQRR, Chapter 17, Section 46(g).

If you would like to resolve this matter through a stipulated settlement without the need to go to District Court, the DEQ is willing to negotiate such a settlement. Please contact Oma Gilbreth at (307) 777-7097 within 30 days of receipt of this letter to arrange a date and time to negotiate a penalty amount.

Todd Parfitt
Director
Department of Environmental Quality

Luke Esch
Administrator
Solid and Hazardous Waste Division

TP/LE/KH

Enclosure: Notice of Violation



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)

Perkins Oil Company)
P.O. Box 1068)
Rawlins, WY 82301)

DOCKET NUMBER 5434-14

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

1. Perkins Oil Company owns and operates the Hanna Cardlock, underground storage tank (UST) facility number 0-004273, 602 South Adams in Hanna, Wyoming. This facility is an unattended station and has three USTs used to sell fuel retail.
2. Mr. Steve Perkins and Mr. Bill Brudigam are the licensed Class A Storage Tank Operators for this facility. Mr. Perkins is also the licensed Class A operator for seven other facilities, and Mr. Brudigam is the licensed Class A operator for six other facilities. When a Class A operator is in charge of more than one facility, a monthly inspection must be completed for each storage tank system for which he/she is designated.

Unattended stations must be visited daily by the Class A, B, or C operator.

3. The DEQ has determined that the following violations of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17, have occurred:

Count 1: Failure to Conduct Monthly Inspections: [WWQRR, Chapter 17, Section 46(d)]. As the operator of the USTs located at the Hanna Cardlock, Perkins Oil Company violated WWQRR, Chapter 17, Section 46(d), by failing to conduct monthly inspections when the Class A operator is in charge of more than one facility.


Count 2: Failure to Perform Daily Facility Visits: [WWQRR, Chapter 17, Section 46(g)]. As the operator of the USTs located at Hanna Cardlock, Perkins Oil Company violated WWQRR, Chapter 17, Section 46(g), by failing to perform daily facility visits at this unattended fueling station.

4. Any person who violates any provision of the Environmental Quality Act, or any rule, standard, permit, license, or variance adopted thereunder, is liable for a penalty of ten thousand dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the people of Wyoming.
5. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.

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NOTHING IN THIS NOTICE OF VIOLATION shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Notice of Violation be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 17th day of JUNE, 2014.



Todd Parfitt
Director
Department of Environmental Quality



Luke Esch
Administrator
Solid and Hazardous Waste Division

PLEASE DIRECT ALL INQUIRES TO: Oma Gilbreth, Storage Tank Program Compliance Supervisor at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7097 or (307) 777-5973 FAX for technical matters.

TP/LE/KH